

CHAPTER XLVII.

An act granting an Extension of Time to the Minnesota and North-Western Railroad Company, and for other purposes.

- SECTION 1. Time extended for building Road and Telegraph.
 2. Two per cent. resulting interest.
 3. Mode of ascertaining gross proceeds.
 4. Branch to Stillwater.
 5. When to take effect.

Be it enacted by the Legislative Assembly of the Territory of Minnesota:

SECTION 1. That the respective periods within which the Minnesota and North Western Railroad Company are now required by law to construct and complete portions of said road contemplated in and by the Charter of said Company, and to construct and put in operation the telegraph therein mentioned, shall be and the same hereby are severally extended as follows, that is to say: The said Telegraph shall be completed and put in complete operation on or before the 17th day of November, 1858, or in case the said Railroad from St. Paul to the Iowa line shall be located and the timber be cut out of the line of said road, before that day, then in that case the said telegraph shall be constructed and put in operation within sixty days] after such timber shall have been cut out. Fifty miles of said road running from St. Paul northwardly shall be fully completed on or before the 17th day of February, 1860; and the remainder of the said road shall be fully completed and put in operation on or before the 17th day of February, 1863.

Provided, however, that it shall be the duty of said Company to locate and construct the said road in conformity with the act of Congress entitled "An act to aid the Territory of Minnesota in the construction of a Railroad therein," approved on the 29th day of June, 1854, and, provided, also, that this extension of time to the said Minnesota and North-western Railroad Company, and all their rights, franchises and privileges under their Charter shall be null and void, and the Governor of said Territory shall by proclamation to be published in some newspaper in St. Paul, and in the city of New York so declare as notice to all concerned, upon the failure of said Company to comply with the following condition, which is, that said Minnesota and North-Western Railroad Company shall, on or before the Fourth day of July, 1856, notify the Governor of this Territory in writing, to be signed by the President and Secretary, or the acting President and acting Secretary of said Company, that they have and do accept fully the provisions of this act as a part of their original Charter, as approved by the Governor of this Territory on the fourth day of March, 1854, and with a certificate that the said acceptance is in obedience to directions previously given by the Board of Directors.

SEC. 2. In consideration of the grant of lands contemplated in the 8th section of the Charter to said Company, approved March 4th, 1854, and of the extension of time to said Company as herein stated, and in further consideration of the restoration of all rights, powers and franchises to said Company which may be supposed to have for any cause become forfeited to the Territory of Minnesota, said corporation binds and obliges

itself to pay or cause to be paid to the Territory or future State of Minnesota, two per cent. upon each dollar of the gross receipts, proceeds and income of said Railroad, so far as the same may be received or due them on that part of said road lying within the limits of the Territory or future state, of Minnesota, to be paid to the Treasurer of said Territory or future state annually, on the first day of January in each year, from and after the day when the cars shall commence running on any part of said road in said Territory or future state of Minnesota, and which proceeds shall be appropriated to the payment of the Territorial or State government expenses, and such payments shall be in lieu of, and the said Company shall be exempt from the payment of any other imposts, taxes or dividends, any law to the contrary notwithstanding.

SEC. 3. And for the purpose of ascertaining the proceeds, receipts, or income aforesaid, an accurate account shall be kept by said Company, a copy whereof shall be furnished to the Governor of the Territory or future State of Minnesota: the truth of which account shall be verified by the affidavits of the President and Treasurer of said Company. And for the purpose of verifying and ascertaining the accuracy of such account, full power is hereby vested in the Governor of the Territory or future State of Minnesota, or any other person by law appointed, to examine the books and papers of said corporation, and to examine, under oath, the officers, agents and employees of said Company, and other persons, and if any person so examined by the Governor, or other authority, shall knowingly and willingly, swear falsely, or if the officers making such affidavits, shall knowingly and willfully, swear falsely, every such person shall be subject to the pains and penalties of perjury. The Territory or future State of Minnesota shall have a prior lien upon said road and branches, and all the appurtenances and stock thereof, for all penalties, taxes and dues which may accrue to the Territory or future State from said corporation, as herein provided; which lien of the Territory or future State shall take precedence of all demands, judgments or decrees against said corporation.

Account to be
furnished
Governor.

SEC. 4. Said Company shall construct and put in operation a branch thereof to a point within one and a quarter miles of the eastern limits of the city of Stillwater. *Provided*, it is consistent with the act of Congress approved 29th June, 1854, granting land to aid said Territory in the construction of a road therein.

Stillwater
branch.

SEC. 5. This act shall be in force from and after its passage.

To be in force.

CHARLES GARDNER,
Speaker of the House of Representatives.
JOHN B. BRISBIN,
President of the Council.

APPROVED—March first, one thousand eight hundred and fifty-six.
W. A. GORMAN.

I hereby certify the foregoing to be a correct copy of the original bill on file in this office.

J. TRAVIS ROBBER,
Secretary of Minnesota Territory.